Docket No.: A61-25651-US

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR REFERENCING AN IMPROVEMENT IMAGE

The specific	cation of which				
(check one)	Application S	iled on Serial No nded on	a a	s	
	-		nd understand the copy any amendment re		e-identified
			mation which is man	4	tion of this
foreign app any foreign	lication(s) for pa	tent or inventor's ce patent or inventor's	s under Title 35, Un ertificate listed below s certificate having	and have also identi	ified below
Prior Foreig	gn Application(s)			Priorit	y Claimed
(Numbe	er)	(Country)	(Day/Month/Year F	iled) Yes	No
application(is not discled of Title 35, defined in Title prior ap	(s) listed below a osed in the prior, United States (Title 37, Code of plication and the	nd, insofar as the su United States applic Code §112, I acknow Federal Regulations national or PCT into	35, United States Cobject matter of each cation in the manner wledge the duty to des §1.56(a) which occernational filing date	of the claims of this provided by the first isclose material infourred between the fil of this application:	application paragraph rmation as
(Application					
\ 11	on Serial No.)	(Filing Date)	(Status)	(patented, pendi abandoned)	ing,

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I hereby appoint all attorneys associated with Honeywell Customer No. 000128 and all attorneys associated with Snell & Wilmer Customer No. 20322 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all telephone calls to David P. Wood at telephone number (303) 634-2019.

Address all correspondence to Honeywell Customer No. 00128.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole		
or First Inventor	Blake Wilson	
Inventor's Signature_	Blake W. W. Son	
Date	9-28-01	
Residence	Peoria, Arizona	
Citizenship	United States Citizen	
Post Office Address_	26151 N. 67th Avenue, Peoria, Arizona 85383	

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

^{*}Title 37, Code of Federal Regulations §1.56:

- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.